

**RESPONSE TO FREEDOM OF
INFORMATION ACT (FOIA) REQUEST**

2019-000286

1

RESPONSE
TYPE☐

INTERIM

☒

FINAL

REQUESTER:

Liam Knox

DATE:

05/24/2019

DESCRIPTION OF REQUESTED RECORDS:

Emails and other communications with employees or representatives for the nuclear utility companies as stated in Part I.D below, sent or received from 2002 to present.

PART I. -- INFORMATION RELEASED

- ☐ The NRC has made some, or all, of the requested records publicly available through one or more of the following means: (1) <https://www.nrc.gov>; (2) public ADAMS, <https://www.nrc.gov/reading-rm/adams.html>; (3) microfiche available in the NRC Public Document Room; or FOIA Online, <https://foiaonline.regulations.gov/foia/action/public/home>.
- ☐ Agency records subject to the request are enclosed.
- ☐ Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (See Part I.D -- Comments) for a disclosure determination and direct response to you.
- ☐ We are continuing to process your request.
- ☒ See Part I.D -- Comments.

PART I.A -- FEES

AMOUNT

- ☐ You will be billed by NRC for the amount indicated.
- ☐ You will receive a refund for the amount indicated.
- ☐ Fees waived.
- ☐ Since the minimum fee threshold was not met, you will not be charged fees.
- ☐ Due to our delayed response, you will not be charged search and/or duplication fees that would otherwise be applicable to your request.

PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE

- ☐ We did not locate any agency records responsive to your request. *Note:* Agencies may treat three discrete categories of law enforcement and national security records as not subject to the FOIA ("exclusions"). See 5 U.S.C. 552(c). This is a standard notification given to all requesters; it should not be taken to mean that any excluded records do, or do not, exist.
- ☐ We have withheld certain information pursuant to the FOIA exemptions described, and for the reasons stated, in Part II.
- ☐ Because this is an interim response to your request, you may not appeal at this time. We will notify you of your right to appeal any of the responses we have issued in response to your request when we issue our final determination.
- ☐ You may appeal this final determination within 90 calendar days of the date of this response. If you submit an appeal by mail, address it to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Mail Stop T-2 F43, Washington, D.C. 20555-0001. You may submit an appeal by e-mail to FOIA.resource@nrc.gov. You may fax an appeal to (301) 415-5130. Or you may submit an appeal through FOIA Online, <https://foiaonline.regulations.gov/foia/action/public/home>. Please be sure to include on your submission that it is a "FOIA Appeal."

PART I.C -- REFERENCES AND POINTS OF CONTACT

You have the right to seek assistance from the NRC's FOIA Public Liaison by submitting your inquiry at <https://www.nrc.gov/reading-rm/foia/contact-foia.html>, or by calling the FOIA Public Liaison at (301) 415-1276.

If we have denied your request, you have the right to seek dispute resolution services from the NRC's Public Liaison or the Office of Government Information Services (OGIS). To seek dispute resolution services from OGIS, you may e-mail OGIS at ogis@nara.gov, send a fax to (202) 741-5789, or send a letter to: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001. For additional information about OGIS, please visit the OGIS website at <https://www.archives.gov/ogis>.



**RESPONSE TO FREEDOM OF
INFORMATION ACT (FOIA) REQUEST**

NRC

2019-000286

RESPONSE NUMBER

1

RESPONSE
TYPE

☐

INTERIM

☒

FINAL

PART I.D -- COMMENTS

Your complete request submitted to the NRC on April 29, 2019 was:

A copy of all emails and other communications with employees or representatives of (including lawyers for) the following private nuclear utility companies:

Consolidated Edison Company of New York
GPU Nuclear, New Jersey
Genoa FuelTech, Wisconsin
Florida Power and Light
Indiana-Michigan Power (American Electric Power), Michigan
Xcel Energy, Minnesota (formerly known as Northern States Power Company)
Southern California Edison Company
Southern Nuclear Operating Company, Alabama

To narrow your search, I am looking for communications sent or received from 2002 to the present (April 29, 2019).

You scoped out already publicly available documents, as well as clarifying you are seeking records about the storage of nuclear waste that these utility companies produce.

On May 10, 2019, we sent you an email asking if you could narrow down your search date criteria. We also asked the specific time of nuclear waste that you are seeking. On May 13, 2019, we asked if your request only includes emails and communications to and from the NRC and the companies listed in your request, or if you are also seeking internal communications between NRC staff.

We asked for a response by May 24, 2019. We have not received a response, therefore we are closing your FOIA request administratively.

You can file another FOIA request with the NRC to include the above information.

Signature - Freedom of Information Act Officer or Designee

Stephanie A. Blaney

Digitally signed by Stephanie A. Blaney
Date: 2019.05.28 06:30:44 -04'00'